

# NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 96.25, PSP Closed Area No. 64-F, Egg Rock, Beals to Canadian Waters, promulgated on September 9, 2003 is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 96.25, PSP Closed Area No. 64-F, Crumple Island, Beals to Moose Cove, Trescott

1. Effective immediately, because of paralytic shellfish contamination, it shall be unlawful to dig, take or possess any ocean (mahogany) quahogs taken from the in-shore and (or) off-shore waters of Washington County, east of a line beginning at the northern end of the Jonesport-Beals Island bridge and running in a southerly direction through Beals Island to the most southern tip of said island; then following a straight line from the southern tip of Beals Island, to the east tip of Crumple Island, Beals; then continuing true south to the limits of the U.S. jurisdiction; and west of a line drawn true south from the most east prominence of the south shore of Moose Cove, Trescott to the limits of U.S. jurisdiction.

A. EXCEPTION: Ocean Quahogs may be possessed for wet storage where otherwise lawful easterly of a line drawn true south from the Jonesport-Beals bridge to the eastern tip of Slate Island, Beals; AND northerly of a line drawn from the eastern end of Slate Island northeasterly to Point of Main, Machiasport; then to Point Ruth, Cutler; AND northerly (in-shore) of another line beginning at the southernmost tip of Cape Wash and running northeasterly to the southernmost tip of Great Head; then to Western Head; then to Fairy Head, all in the Town of Cutler.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: February 23, 2004

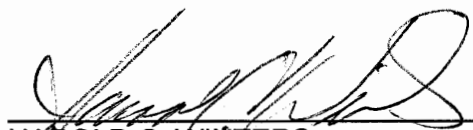
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BANGOR DAILY NEWS:  
February 27, 2004

## STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals emergency DMR Regulation 96.25, Closed Area No. 64-F, Egg Rock, Beals to Canadian waters, promulgated on September 9, 2003 and replaces it with a new regulation. This new regulation prohibits the harvest of ocean quahogs between Crumple Island, Beals and Moose Cove, Trescott. **This is a technical regulatory change to accommodate the eastward expansion of an open area located just west of the eastern line of 64-F, as promulgated on September 9, 2003. All ocean quahogs east of Moose Cove still remain closed under Regulation 64-B.**

Harvesting of quahogs in the closed area (Crumple Island to Moose Cove) is prohibited because they contain dangerous levels of red tide toxin. Quahogs can be held in inshore waters (indicated above) as long as this activity is not prohibited by other regulations.



HAROLD C. WINTERS  
ADMINISTRATIVE OFFICER FOR GEORGE D.  
LAPOINTE, COMMISSIONER AS AUTHORIZED  
BY 12 MRSA SECTION 6023



# Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

**64F - Crumple Island, Beals to Moose Cove, Trescott 2/23/04**

